



Docket No.: SPINE 3.0-395 CONT
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Markworth et al.

Application No.: 10/655,440

Group Art Unit: 3733

Filed: September 4, 2003

Examiner: M. C. Hoffman

For: SYSTEM FOR USE IN SPINAL
STABILIZATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION OF YVES CROZET UNDER 37 C.F.R. § 1.131

Dear Sir

I, Yves Crozet, hereby declare that:

1. I am an inventor of the rod persuader apparatus and its method of use, which is disclosed and claimed in U.S. Patent No. 6,660,006 ("the '006 Patent") filed April 17, of which the present Application (Application Serial No. 10/655,440) is a continuation.

2. On April 16, 2003, I executed a Declaration ("the Original Declaration") along with my co-inventor, Aaron Markworth, which I understand was submitted in connection with the prosecution of the '006 Patent in order to support a reduction to practice by myself and my co-inventor prior to July 3, 2001.

3. It is my understanding that an issue has been raised with respect to the Original Declaration, in that it is silent as to where the inventive steps were taken for the invention disclosed and claimed in both the present Application and the '006 Patent.

4. I submit the present Declaration to attest to the fact that all inventive steps, including the conception and reduction to practice, for the invention of the present

Application and the '006 patent were conducted in the United States.

All statements made herein to my own knowledge are true, and all statements made on information are believed to be true. Further, all statements herein were made with the knowledge that willful false statements and the like are punishable under Section 1001 of Title XVIII of the United States Code, and that such willful false statements may jeopardize the validity of any patent which may issue from the present application.

Date: 22 AUGUST 2008


Yves Crozet